

IN THE CLAIMS

This listing of claims will replace all prior versions, and listings, of claims in the application:

Claims 1-4 (canceled):

Claim 5 (currently amended): A method for ~~crystallizing~~ preparing A-type crystals of N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester, comprising:

crystallizing N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester from a solution comprising N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester and a solvent, to obtain A-type crystals of N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester ~~which exhibit at least the following diffraction peaks as measured by x-ray diffraction, 2 θ CuK α :~~

~~a peak at 6.0°;~~

~~a peak at 24.8°;~~

~~a peak at 8.2°; and~~

~~a peak at 16.5°,~~

wherein said solvent is selected from the group consisting of water and mixtures of water and a lower alcohol,

wherein said ~~crystallization~~ crystallizing is carried out such that the temperature of said solution is maintained above 30°C until onset of nucleation of said A-type N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester.

Claim 6 (previously presented): The method of Claim 5, wherein said solvent is a mixture of water and methanol.

Claim 7 (previously presented): The method of Claim 6, wherein said methanol is present in said solvent in an amount of 15 wt.% or less, based on the total weight of said solvent.

Claim 8 (previously presented): The method of Claim 5, wherein said solvent is water.

Claim 9 (currently amended): The method of Claim 5, wherein said crystallization is carried out such that the temperature of said solution is maintained at 30°C to 65°C until onset of nucleation of said A-type N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester.

Claim 10 (canceled).

Claim 11 (currently amended): The method of Claim 5, wherein said crystallization is carried out such that the temperature of said solution is maintained above 47°C until onset of nucleation of said A-type N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester.

Claim 12 (currently amended): A method for ~~crystallizing~~ preparing A-type crystals of N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester, comprising:

crystallizing N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester from a solution comprising N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester and a solvent, to obtain A-type crystals of N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester which exhibit at least the following diffraction peaks as measured by x-ray diffraction, 2θ CuK α :

a peak at 6.0° ;

a peak at 24.8° ;

a peak at 8.2° ; and

a peak at 16.5° ,

wherein said solvent is selected from the group consisting of water and mixtures of water and a lower alcohol,

wherein said ~~crystallization~~ crystallizing is carried out in the presence of seed crystals of said A-type N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester, and

~~wherein said seed crystals of said N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester exhibit at least the following diffraction peaks as measured by x-ray diffraction, 2θ CuK α :~~

~~a peak at 6.0° ;~~

~~a peak at 24.8° ;~~

~~a peak at 8.2° ; and~~

~~a peak at 16.5° .~~

Claim 13 (previously presented): The method of Claim 12, wherein said solvent is a mixture of water and methanol.

Claim 14 (previously presented): The method of Claim 13, wherein said methanol is present in said solvent in an amount of 15 wt.% or less, based on the total weight of said solvent.

Claim 15 (previously presented): The method of Claim 12, wherein said solvent is water.

Claim 16 (new): The method of Claim 5, wherein said A-type crystals of N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester exhibit a CuK α x-ray diffraction pattern having characteristic peaks expressed in degrees 2θ at 6.0°, 8.2°, 16.5°, and 24.8°.

Claim 17 (new): The method of Claim 12, wherein said A-type crystals of N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester exhibit a CuK α x-ray diffraction pattern having characteristic peaks expressed in degrees 2θ at 6.0°, 8.2°, 16.5°, and 24.8°.

Claim 18 (new): The method of Claim 12, wherein said seed crystals of A-type crystals of N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester exhibit a CuK α x-ray diffraction pattern having characteristic peaks expressed in degrees 2θ at 6.0°, 8.2°, 16.5°, and 24.8°.

Claim 19 (new): A method for preparing A-type crystals of N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester, comprising:

crystallizing N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester from a solution comprising N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester and a solvent, to obtain A-type crystals of N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester,

wherein said solvent is selected from the group consisting of water and mixtures of water and a lower alcohol,

wherein said crystallizing is carried out such that the temperature of said solution is maintained at 40°C to 50°C until onset of nucleation of said A-type N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester.

Claim 20 (new): The method of Claim 19, wherein said solvent is a mixture of water and methanol.

Claim 21 (new): The method of Claim 20, wherein said methanol is present in said solvent in an amount of 15 wt.% or less, based on the total weight of said solvent.

Claim 22 (new): The method of Claim 19, wherein said solvent is water.

Claim 23 (new): The method of Claim 19, wherein said A-type crystals of N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester exhibit a CuK α x-ray diffraction pattern having characteristic peaks expressed in degrees 2θ at 6.0°, 8.2°, 16.5°, and 24.8°.

Claim 24 (new): A method for preparing A-type crystals of N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester, comprising:

crystallizing N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester from a solution comprising N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester and a solvent, to obtain A-type crystals of N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester,

wherein said solvent is selected from the group consisting of water and mixtures of water and a lower alcohol,

wherein said crystallization is carried out in the presence of seed crystals of A-type N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester, and

wherein said crystallizing is carried out such that the temperature of said solution is maintained at 40°C to 50°C until onset of nucleation of said A-type N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester.

Claim 25 (new): The method of Claim 24, wherein said solvent is a mixture of water and methanol.

Claim 26 (new): The method of Claim 25, wherein said methanol is present in said solvent in an amount of 15 wt.% or less, based on the total weight of said solvent.

Claim 27 (new): The method of Claim 24, wherein said solvent is water.

Claim 28 (new): The method of Claim 24, wherein said A-type crystals of N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester exhibit a CuK α x-ray

diffraction pattern having characteristic peaks expressed in degrees 2θ at 6.0° , 8.2° , 16.5° , and 24.8° .

Claim 29 (new): The method of Claim 24, wherein said seed crystals of A-type crystals of N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester exhibit a CuK α x-ray diffraction pattern having characteristic peaks expressed in degrees 2θ at 6.0° , 8.2° , 16.5° , and 24.8° .

SUPPORT FOR THE AMENDMENTS

Applicants have amended Claims 1 and 12 to replace the term “method for crystallizing N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester” with “method for preparing A-type crystals of N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester.” Claims 5 and 12 have also been amended to replace the term “crystals of N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester which exhibit at least the following diffraction peaks as measured by x-ray diffraction, 2 θ CuK α : a peak at 6.0°; a peak at 24.8°; a peak at 8.2°; and a peak at 16.5°” with “A-type crystals of N-[N-(3,3-dimethylbutyl)-L- α -aspartyl]-L-phenylalanine methyl ester.” Support for these amendments can be found throughout the specification, including Figures 3 and 4 and Example 1 on pages 12-14. Claims 9 and 11 have been amended to properly depend from amended Claim 5.

Applicants have also added new Claims 16-29. Support for new Claims 16-18, 23, 28, and 29 can be found in Claims 5 and 12, as previously presented. Support for new Claim 19 can be found in Claims 5 and 10, as previously presented, and throughout the specification, including Figures 3 and 4 and Example 1 on pages 12-14. Support for new Claims 20-22 can be found in Claims 6-8, as previously presented. Support for new Claim 24 can be found in Claims 10 and 12, as previously presented, and throughout the specification, including Figures 3 and 4 and Example 1 on pages 12-14. Support for new Claims 25-27 can be found in Claims 13-15, as previously presented.

No new matter has been added. Claims 5-9 and 11-29 are active in this application.